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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,214	03/20/2000	Shunsaku Miyazawa	Q57419	5963

7590   03/03/2004

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EXAMINER
TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.		Applicant(s)	
Office Action Summary		09/531,214		MIYAZAWA ET AL.	
		Examiner		Art Unit	
		Douglas Q. Tran		2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-8_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1_ is/are rejected.

7) ☒ Claim(s) _2-8_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

    1. ☒ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _5,6_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

2.   The abstract of the disclosure is objected to because the abstract there is more

than one paragraph in narrative form; and each of the reference numerals should be in

parentheses. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Tamagaki (US

Patent No. 5,716,148).

As to claim 1, Tamagaki teaches a data communication apparatus (i.e., a digital

copying machine 10 in fig. 6) for performing data communication with a partner

apparatus (i.e., a host device 70 in fig. 6) through a communication line (i.e., an arrow

between two interfaces 61 and 71 in fig. 6), the data communication apparatus (i.e., a

digital copying machine 10 in fig. 6) comprising:

job execution means (i.e., the controller section 67 in fig. 6) for receiving data

from the partner apparatus, for executing a job (col. 9, lines 23-25 describes that the

controller section 67 has a number of functions for communicating with the host device

by receiving the print data via the interface "61 in fig. 6, col. 10, lines 27-30", and

executing the print data from the memory 54 "col. 10, lines 38-39");

job management means (i.e., the controller section 67 in fig. 6) for managing an

execution status of the job (col. 9, lines 56-60 describes that the controller section 67 has

a number of functions for managing the status of the job by watching the printing out of

the print data and detecting the unoutputted print data); wherein:

when a job whose execution was interrupted by a given event (col. 10, lines 46-49

describes that the trouble is occurred during printing the print job. Thus, the information

of the printing conditions such as the printed pages is stored in the memory) is to be

resumed (a step of S72 indicates after the trouble is solved then any data, which is lost

"S74 in fig. 11", is resumed by receiving the re-sending page information from the host

device "step of D13 in fig. 11" and "col. 11, lines 3-4"), the job management means

instructs the job execution means to resume the job (col. 11, lines 2-5 describes that the

controller section 67 has a function for resuming the job by receiving the resending data

from the host and carrying out the receiving operation), while presenting an execution

status at time when the execution of the job was interrupted (steps of S62 to S69 in fig.

11 and col. 10, lines 49-53 describes that when a trouble of the printing operation is

detected, the controller section 67 informs to the host device the printing condition status

such as printed pages and the stopped printing); and

the job execution means refers to the execution status at the time when the

execution of the job was interrupted, for receiving only data required for executing a non-

processed part of the job (col. 10, line 62 to col. 11, line 2 describes that the controller

section 67 requests the host device for re-sending the unprinted data and receives only the

unprinted data), the execution status being presented by the job management means,

relating to the job about which the instruction of resuming has been given (col. 10, line

59 to col. 11, line 2 describes that the controller section 67 has a function for checking

the status of the printing data on the memory 54 and determining the unprinted data for

resuming) (it is noted that the controller section "67 in fig. 6" controls the entirety of the

printing system "10 in fig. 6". Thus, the controller section 67 has a plurality of functions

including a) the job execution means for operating the print data at the printer section

"col. 9, lines 56-57" and resuming the received unprinted data "col. 11, lines 2-5", and

b) the job management means for managing the status of the printing operation "col. 9,

lines 59-60 and col. 10, lines 60-65". In summary, the controller 67 sequently executes

these above functions. Therefore, these above functions are inherently communicates

each other within the controller section 67).

Allowable Subject Matter

5.   Claims 2-8 are objected.

Claim 2 is objected to as being dependent upon a rejected base claim 1, but would

be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

As to claim 2, the prior art, including an updated electronic text search, such as

the closest prior art of Tamagaki simply teaches of resuming the unprinted data based on

the information of the last page already printed before the trouble, Tamagaki does not

teach the details of the combination of these following features: 1) using IEEE in

accordance with a data transfer protocol based on SBP-2 for communicating between two devices; in combination with 2) the job execution means follows **ORB (Operation Request Block)** , which is received from the input device as a job and contains data indicating a storage area of data to be transferred, in order to generate and send **Read Block Request** that indicates **a read start address** and a **predetermined read data quantity** to the input device, and in response, receives **Read Block Response** that contains read data, so that the job execution means sequentially reads the data by the predetermined data quantity from any address, so as to receive the data in the storage area indicated by the ORB; and when the job management means instructs the job execution means to resume execution of the ORB whose execution was interrupted by a given event, then the job execution means refers to the execution status presented from the job management means relating to **the time** when the execution of the ORB was interrupted, in order to generating Read Block Requests required for receiving data that has not been obtained yet, excluding data that has already obtained, out of the data in the storage area indicated in the **ORB**, to send the **Read Block Requests** to the input device, and to receive **Read Block Responses** as responses to **the Read Block Requests.** Thus, the above distinct limitations render them allowable.
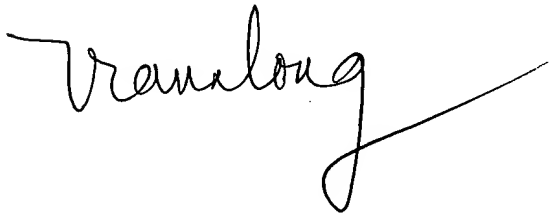
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Feb 20, 2004